

IN RE: DEV. PLAN HEARING & PETITIONS * BEFORE THE HEARING OFFICER/
 FOR SPECIAL HEARING & VARIANCE * ZONING COMMISSIONER
 NW cor. Chesapeake and Virginia *
 Avenues * OF BALTIMORE COUNTY
 9th Election District *
 4th Councilmanic District * Case No. IX-400 & 95-500-SPHA
 Legal Owner: Baltimore County, *
 Maryland *
 Contract Purchaser: Trinity *
 House Apartments, Inc. *
 * * * * * * * * * *

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN AND VARIANCE ORDER

This matter comes before the Zoning Commissioner/Hearing Officer as a combined hearing, pursuant to the authority in Section 26-206.1 of the Baltimore County Code. Approval is requested of a Red Line development plan (Developer's Exhibit No. 1) dated June 29, 1995, subsequently amended. Zoning relief is requested pursuant to Petitions for Special Hearing and Variance.

As to the Petition for Special Hearing, modification to variances granted in case No. 84-178-A is requested, so as to allow a 0 ft. side yard setback in lieu of the required 10 ft., pursuant to Section 235.2, and a 2 ft. front yard setback, in lieu of the required 15 ft., pursuant to Section 235.1 of the Baltimore County Zoning Regulations (BCZR). Also, special hearing relief is requested to modify the variance granted in case No. 89-344-SPHA so as to permit a 10 ft. front yard setback, in lieu of the required 15 ft., pursuant to Section 235.1 of the BCZR.

Variance relief is requested pursuant to Section 235.1 of the BCZR to permit a front yard setback of 10 ft., in lieu of the required 15 ft. At the hearing, the variance request was amended so as to also seek a variance to permit an open porch and/or entrance way, as shown on the site plan, pursuant to Sections 301.1.A and 301.2 of the BCZR.

ORDER RECEIVED FOR FILING
Date 3/29/95
By M. Horak

MICROFILMED

As to the history of the project, a Concept Plan Conference was held on March 13, 1995 and the concept plan was submitted at that time. Thereafter a Community Input Meeting was held on April 12, 1995 in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson. The Development Plan was submitted and a conference was held thereon on July 26, 1995 in the County Office Building. The Hearing Officer's hearing was scheduled and held on August 15, 1995 at 9:00 A.M. in Room 118, Old Court House.

Appearing at the requisite public hearing was Dale McArdle, Diane Skellie, Curtis Wilson, Blair Farrand and Burt English, all on behalf of the Developer, Trinity House Apartments, Inc. The Developer/Petitioner was represented by Robert A. Hoffman, Esquire. Keith Franz, Esquire, a nearby property owner, appeared as an interested person. Also present were representatives of the various Baltimore County agencies who evaluated the project. These included Joseph Maranto, the Project Manager, and Mitch Kellman from the Office of Permits and Development Management (PADM), Dave Thomas from the Department of Public Works (DPW), and Carole McEvoy and Nicholas Linehan from the Office of Planning and Zoning (OPZ)

Testimony and evidence presented was that the subject lot is located on the northwest side of the intersection of Virginia and Chesapeake Avenues in East Towson. The property is immediately across the street from the new District Court building. The historic East Towson residential community is located across Virginia Avenue from this subject site. To the north and west, there are a number of office, institutional and governmental uses. Developing the site with a four story elderly housing facility is shown on the plan. The facility will contain approximately 82 apartment units and is being constructed for the purpose of filling a void for affordable elderly housing in the Towson area. The total structure will

be approximately 71,000 sq. ft. in area and the property is approximately 78 acres in area zoned B.M.-C-T. Apparently, the project has the support of much of the surrounding community and the Baltimore County agencies which have reviewed the proposal.

It is of note that the instant matter was the subject of two prior zoning cases, Nos. 84-178-A and 89-344-SPHA. Previously, the site was proposed for an office building and ancillary parking. Although zoning relief was obtained to permit such development, the proposed office building was never constructed.

As to the development plan, same is to be considered by this Hearing Officer in accordance with the requirements of Section 26-206 of the Baltimore County Code. That section requires the Hearing Officer to determine if there are any outstanding issues or open concerns. In this respect, representatives from the agencies of Baltimore County indicated that the red line plan submitted (Developer's Exhibit No. 1) had not been fully reviewed. The hearing was adjourned briefly which provided the County agencies an opportunity to further review the plan. Upon reconvening of the hearing, the County representatives present indicated that there were no outstanding issues. That is, the plan, as amended, complies with all development regulations and applicable policies, rules and regulations. Based on this uncontradicted testimony, the plan will, therefore, be approved.

Mr. Franz, on behalf of the neighboring property owners, did raise an issue, pursuant to Section 26-206(o) of the regulations. He indicated that his interest relates to an existing five story office building which is immediately across an alley to the west of the site. Mr. Franz is concerned about the roof of the subject property and whether same would feature antennas, mechanical equipment or other structures which would

8/29/95
M. Horak

negatively impact the view from his building. With the consent of the Developer, I shall impose a restriction in this regard, prohibiting the installation of any mechanical systems, antenna or other structures on the roof of the building, except as may be required by the building code or other applicable regulations. Moreover, the Developer indicated that any such required improvements would be painted the same color as the roof, so as to blend into the background, and will be of minimum size and area. With this proviso, the development plan shall be approved.

As to the zoning relief, same should also be granted. It is to be noted that this relief is consistent with the relief previously approved in the prior case. As noted above, variances were previously granted so as to allow the construction of the proposed office building. In the instant case, the elderly housing building which is proposed has been re-oriented to front Virginia Avenue. The same setbacks will be maintained as previously approved. However, the re-orientation of the building has resulted in a reconfiguration of the front, sides and rear yards. Consistent with the prior relief granted, I find that the Developer has satisfied the variance and special hearing standards set forth in Sections 307.1 and 502.1 of the BCZR, respectively. It is clear that strict adherence to the applicable provisions of the BCZR would result in a practical difficulty upon the Developer. Moreover, the relief requested will be consistent with the spirit and intent of the zoning regulations and without any detriment to the surrounding locale. I am satisfied that the record of this case has met the regulatory criteria and the requirements of the case law.

Pursuant to the development regulations of Baltimore County, as contained within Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing thereon, I will approve the develop-

ment plan consistent with the comments set forth above and shall so order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 29th day of August 1995, that the development plan submitted in the within case as Developer/Petitioner's Exhibit No. 1, be and is hereby APPROVED in accordance with the terms and conditions as set forth herein; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval for modification to variances granted in case No. 84-178-A to allow a 0 ft. side yard setback in lieu of the required 10 ft., pursuant to Section 235.2, and a 2 ft. front yard setback in lieu of the required 15 ft., pursuant to Section 235.1 of the BCZR, be and is hereby GRANTED; and,


IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval to modify the variance granted in case No. 89-344-SPHA so as to permit a 10 ft. front yard setback in lieu of the required 15 ft., pursuant to Section 235.1 of the BCZR, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that an amended variance from Sections 301.1.A and 301.2 of the BCZR to permit an open porch and/or entrance way, as shown on the site plan, be and is hereby GRANTED, subject, however, to the following restriction:

1. No mechanical systems, antenna or other structures shall be installed or placed on the roof of the proposed building, except as required by the building code or other applicable regulations. In the event such structures are required, same shall be of minimum size and shall be designed and placed so as to blend into the roof and cause as minimal visual impact to surrounding properties as practical and possible.

IT IS FURTHER ORDERED that the Developer shall prepare and submit to Permits and Development Management (PADM), within 10 days from the date of

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 8/29/95
By M. Gorch

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 29, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 W. Allegheny Avenue
Towson, Maryland 21204

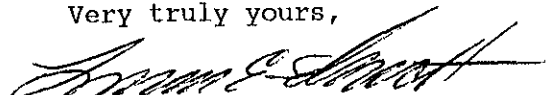
RE: Case No. IX-400 and 95-500-SPHA
Development Plan Order/Petitions for Special Hearing & Variance
Project: Trinity House
Applicant/Developer: Trinity House Apartments, Inc.

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Hearing Officer's Opinion and Development Plan Order, together with Petitions for Special Hearing and Variance, have been approved.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Mr. Dale McArdle, Vice President,
Trinity House, 320 Cathedral Street, 21201
Mr. Curtis Wilson, 2 E. Read St., 21202
Messrs. Blair Farrand and Burt English, 416 Lyman Avenue, 21212
Keith Franz, Esquire, 101 E. Chesapeake Avenue, 21286
Mr. Roy Gross, 32 Dunvale Road, 21204
cc: Mr. Joe Maranto, Project Manager
Various County Agencies





Petition for Special Hearing

95-500-S PHA

to the Zoning Commissioner of Baltimore County

for the property located at 409 Virginia Avenue, Towson, Maryland 21204

which is presently zoned

BM-CT

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Robert A. Hoffman, Esquire

(Type or Print Name)

Signature Venafre, Baetjer & Howard, LLP
210 Allegheny Avenue

Address Phone No.
Towson, Maryland 21204 494-6262

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Trinity House Apartments, Inc.

By:

Dale McArdle, Vice President

520 Cathedral Street

Baltimore, Maryland 21201 547-5508

Baltimore County, Maryland

By:

Patrick Roddy, Assistant County Attorney
Old Court House, 2nd Floor

400 Washington Ave., Towson, MD 21204

Name, Address and phone number of representative to be contacted. 887-4420

Robert A. Hoffman, Esquire

Name 210 Allegheny Avenue

Towson, Maryland 21204 494-6262

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following date

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE 6-30-95



MICROFILMED



95-500-S PHA

Special Hearing Petition

Special hearing to approve an amendment to the site plan and variances approved in Case Nos.: 84-174-A and 89-344-SPHA. The modification of the variances are as follows:

Modification to variances granted in Case No. 84-174-A: 0 ft. side yard setback in lieu of the 10 ft. required under §235.2 (0 ft. front yard setback in lieu of the required 15 ft. previously granted) and, a 2 ft. front yard setback in lieu of the 15 ft. required under §235.1 (2 ft. side yard setback in lieu of the required 10 ft. previously granted).

Modification to variances granted in Case No. 89-344-SPHA: 10 ft. front yard setback in lieu of the 15 ft. required under §235.1 (5 ft. side yard setback in lieu of the required 10 ft. previously granted).

MICROFILMED



Petition for Variance

95-500-SPHA
to the Zoning Commissioner of Baltimore County

for the property located at 409 Virginia Avenue, Towson, Maryland 21204

which is presently zoned BM-CT

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

235.1 of the Baltimore County Zoning Regulations to permit a front yard setback of 10 ft. in lieu of the required 15 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

to be determined at hearing.

+ to permit open porch
+ driveway as shown
on site plan
per 301.1 a +
301.2

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/lessor:

Trinity House Apartments, Inc.

(Type or Print Name)

By: Dale McArdle

Signature: Dale McArdle, Vice President

520 Cathedral Street

Address

Baltimore, Maryland 21201

City State Zipcode

Attorney for Petitioner:

Robert A. Hoffman, Esquire

(Type or Print Name)

Signature: Venable, Baetjer & Howard, LLP

210 Allegheny Avenue

Towson, Maryland 21204 Phone: 494-6262

City State Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s):

Baltimore County, Maryland

(Type or Print Name)

By: Patrick Roddy
Signature: Patrick Roddy, Assistant County Attorney

(Type or Print Name)

Signature

Old Court House, 2nd Floor

400 Washington Avenue

Towson, Maryland 21204

887-4420

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Robert A. Hoffman, Esquire

210 Allegheny Avenue

Towson, Maryland 21204

494-6262

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following date

Next Two Months

ALL

OTHER

REVIEWED BY: RAH

DATE

6-30-95

Zoning Administration

496

95-500-SPTA

496

**TRINITY HOUSE
409 VIRGINIA AVENUE**

ZONING DESCRIPTION

As recorded in Deeds Folio 7875 Liber 184; Folio 7875 Folio 189; Liber 7875 Folio 197; and Liber 8175 Folio 31:

Beginning at the intersection of the west side of Virginia Avenue (66' wide) and the north side of Chesapeake Avenue (60' wide), then running along the west side of Virginia Avenue, North 11° 31' 43" East, 248.80 feet; thence North 84° 04' 08" West, 143.32 feet; South 11° 31' 43" West, 125.00 feet; South 82° 33' 09" East, 9.00 feet; South 11° 31' 43" West, 120.00 feet to the north side of Chesapeake Avenue; thence South 32° 33' 09", 134.00 feet to the point of beginning. Containing 34,139 square feet or 0.7837 acres, of land, more or less, and located in the 9th Election District.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Townson, Maryland

95-500-52144

EX-400

District 1st Date of Posting 7/14/95
Posted for: Plan Hearing & Special Hearing & Corridor
Petitioner: Trinity House Apt. Inc
Location of property: W/S Virginia Ave. at Cor of Chesapeake Ave
Location of Signs: Facing road way on property being zoned
Remarks: _____
Posted by [Signature] Date of return: 7/21/95
Number of Signs: 2



CERTIFICATE OF PUBLICATION

TOWSON, MD.,

July 14, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 13, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioners of Baltimore County, Md., will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-500-SPHA
(Item 496)
409 Virginia Avenue
NWC Chesapeake and
Virginia Avenues
9th Election District
4th Councilmanic
Legal Owner(s):
Trinity House Apartments, Inc. and Baltimore County, Maryland
Hearing: Tuesday,
August 15, 1995 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve an amendment to the site plan and variances approved in case #84-174-A and #89-344-SPHA. Modification to variances granted in case #84-174-A; zero foot side yard setback in lieu of the 10 feet required (zero foot front yard setback in lieu of the required 15 feet previously granted) and a 2-foot front yard setback in lieu of the 15 feet required (2-foot side yard setback in lieu of the required 10 feet previously granted). Modification to case #89-344-SPHA; zero foot side yard setback in lieu of the 10 feet required (5-foot side yard setback in lieu of the required 15 feet previously granted) and a 2-foot front yard setback in lieu of the 15 feet required (2-foot side yard setback in lieu of the required 10 feet previously granted). Variance to permit a front yard setback of 10 feet in lieu of the required 15 feet.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1)Hearings are Hand-capped Accessible; for special accommodations, Please Call 887-3353.

(2)For information concerning the File and/or Hearing, Please Call 887-3391.

7/14/95 July 13.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 52817

#496

DATE 6-30-95 ACCOUNT R-001-6150

AMOUNT \$ 570.00 Total

RECEIVED
FROM:

Associated

Catholic Charities, Inc.

#020 - Commercial Variance Filing fee \$250.
#040 - " Special Hearing \$250.

FOR:

#080 - 2 signs @ \$35.00 each

\$570.00

01A01#0158MICHRC

OWNER: BALTO CO & TERRITORY

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

site: NW C CHESAPEAKE & Virginia AVES.

TO: PUTUXENT PUBLISHING COMPANY
July 13, 1995 Issue - Jeffersonian

Please forward billing to:

Robert A. Hoffman, Esq.
210 Allegheny Avenue
Towson, MD 21204
494-6262

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-500-SPHA (Item 496)
409 Virginia Avenue
NWC Chesapeake and Virginia Avenues
9th Election District - 4th Councilman ic
Legal Owner(s): Trinity House Apartments, Inc. and Baltimore County, Maryland

HEARING: TUESDAY, AUGUST 15, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve an amendment to the site plan and variances approved in case #84-174-A and #89-344-SPHA. Modification to variances granted in case #84-174-A; zero foot side yard setback in lieu of the 10 feet required (zero foot front yard setback in lieu of the required 15 feet previously granted) and a 2-foot front yard setback in lieu of the 15 feet required (2-foot side yard setback in lieu of the required 10 feet previously granted). Modification to case #89-344-SPHA; a 10 foot front yard setback in lieu of the 15 feet required (5 foot side yard setback in lieu of the required 10 feet previously granted).

Variance to permit a front yard setback of 10 feet in lieu of the required 15 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Department of Permits and Licenses



111 West Chesapeake Avenue
Towson, MD 21204

887-3610

August 9, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 496
Case No.: 95-500-SPHA
Petitioner: Trinity House

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 30, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the word "Sincerely,".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: July 24, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: *RWB* Zoning Advisory Committee Meeting
for July 17, 1995
Items 479, 481, 482, 483, 484, 487, 488, 489, 12
490, 491, 492, ~~493~~, 495 and 496

The Development Plans Review Division has reviewed
the subject zoning item and we have no comments.

RWB:sw

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 7/10/95

DATE: 7/18/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 478

479

480

481

483

484

485

486

487

489

490

491

494

496

revised 467

LS:sp

LETTY2/DEPRM/TXTSBP

MICROFILMED



Maryland Department of Transportation
State Highway Administration

Hal Kassoff
Administrator

7-7-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 496 (JJS)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 17, 1995

Melissa Peters
MF Housing Representative
Multi-family Housing Division
US Department of Housing & Urban Development
City Crescent Building
10 South Howard Street
5th Floor
Baltimore, MD 21201-2528


RE: Zoning Verification
Trinity House
409 Virginia Avenue
Towson, MD 21204
Project #052-EE008-WAH
9th Election District

Dear Ms. Peters:

This is to advise you that if the above project is constructed according to the plans and specifications in zoning case #IX-400 and #95-500-SPHA, approved on August 29, 1995, it will comply with all zoning requirements for Baltimore County.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at (410) 887-3391.

Very truly yours,


Mitchell J. Kellman
Planner II
Zoning Review

MJK:scj

Enclosure



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
409 Virginia Avenue, NWC Chesapeake and	*	ZONING COMMISSIONER
Virginia Avenues, 9th Election District,	*	
4th Councilmanic	*	OF BALTIMORE COUNTY
Trinity House Apartments, Inc. and	*	CASE NO. 95-500-SPHA
Baltimore County, Maryland	*	
Petitioners	*	

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

4/11/95

PETITION PROBLEMS AGENDA OF JULY 10, 1995

#479 --- CAM

1. No review information on bottom of petition form.

#485 --- JJS

1. Only one legal owner signature -- need signature of Kang.
2. Need original signature for lessee.

#486 --- MJK

1. Petitioner was not given copy of receipt (still in folder).
2. Need telephone number for legal owner.
3. Need title of person signing for contract purchaser.

#488 --- RT

1. Need typed or printed name and title of person signing for contract purchaser.

#489 --- JRA

1. Need title of person signing for legal owner.

#493 --- JRA

1. Need telephone number for legal owner.
2. Need address for legal owner.
3. Need telephone number for attorney.

#494 --- JRA

1. Who is legal owner? (Petition says Michael J. Specht & plat says Exxon Company, USA)

#495 --- JJS

1. Notary public section is incomplete.

#496 --- JJS

1. No original signatures on petitions.

MICROFILMED

496

6/29/95

John:

Attached is the filing package for Trinity House . As we discussed, I have attached copies of the petitions and will followup with the originals if they are located by the Office of Law and/or provide new originals. Also, I wanted to remind you that this matter is scheduled to have a development plan submitted tomorrow, therefore, we would request that the Hearing Officer's Hearing be combined with the Zoning Hearing.

The following is attached:

- 12 site plans
- 3 petitions for variance
- 3 petitions for specialhearing
- 1 - 200' scale map
- 1 - 1000' scale map
- 3 descriptions
- 3 letters from Revenue Authority regarding leased parking spaces
- check in the amount of \$570.00

Please call me if you have any questions and please excuse all the typos.

Thanks. Barbara White Ormord 494-6201

494-6201

Baltimore County Revenue Authority

115 TOWSONTOWN BOULEVARD

TOWSON, MARYLAND 21286-5850

TELEPHONE (410) 887-3127

FAX (410) 296-7459

496

95-500-SPHA

June 22, 1995

Mr. Dale R. Mc Ardle
Catholic Charities
520 Cathedral Street
Baltimore, MD 21201-4493

Dear Mr. Mc Ardle:

The purpose of this letter is to confirm our recent discussions relating to the zoning requirements for parking for the Trinity House project at Chesapeake and Virginia Avenues in Towson.

The Baltimore County Revenue Authority will reserve 31 parking spaces for the Trinity House project at our Library Parking Facility subject to our standard arrangements for monthly parking agreements.

Very truly yours,

George R. Hale
George R. Hale
Executive Director

GEH/mls1D-038

cc: Robert A. Hoffman

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Bob Hoffman

210 Allegheny Ave 21204

Dale McAule

320 Cathedral St.

Diane Skellie

320 Cathedral St.

Curtis Wilson

2 E. Read St. 21202

BLAIR FARRAND

416 LYMAN AVE. 21212

Burt English

"

Paul Franz

101 E. Chesapeake Ave.



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JOE MARANO

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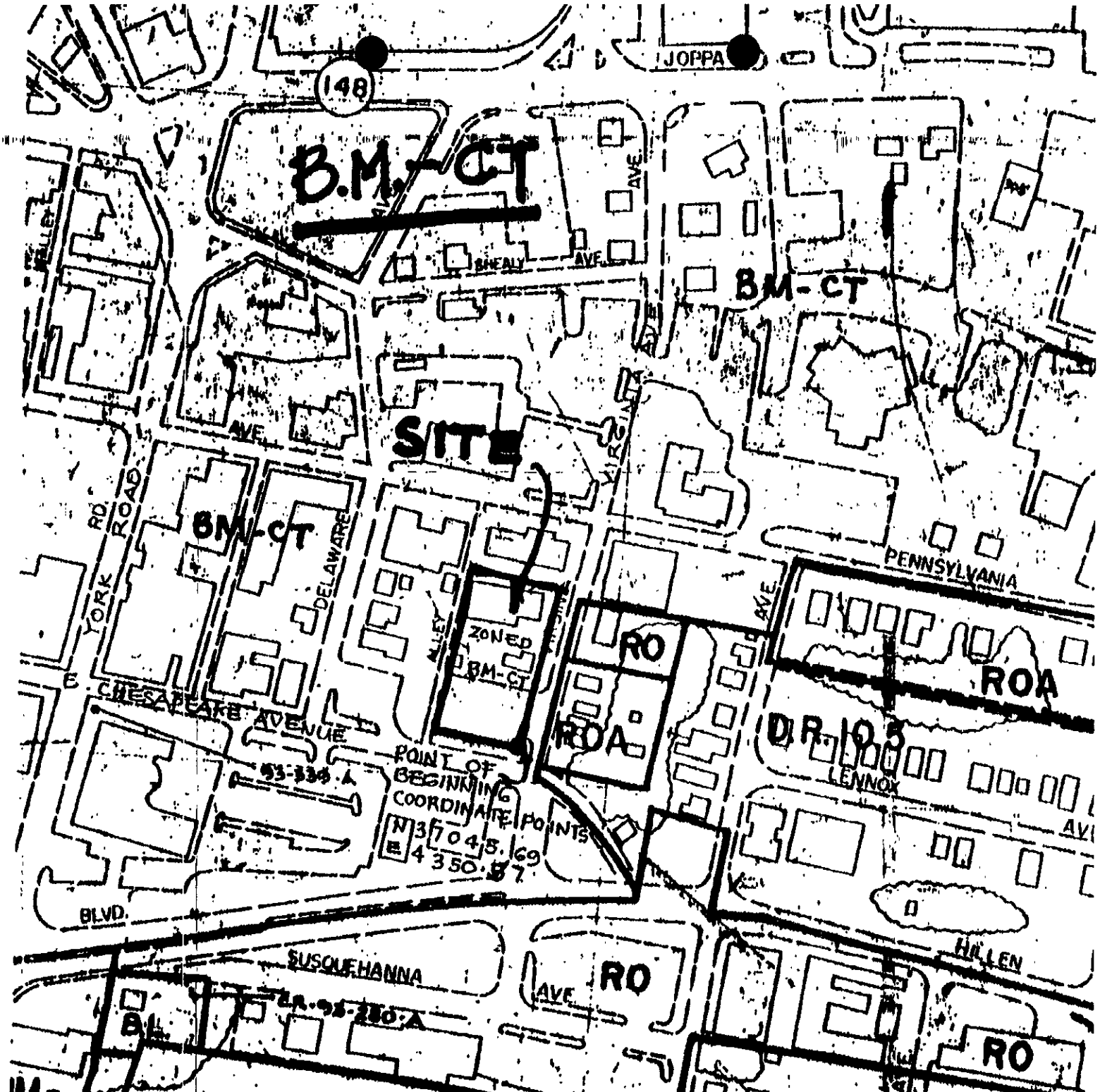
PDM

Nicholas Litchman

OP



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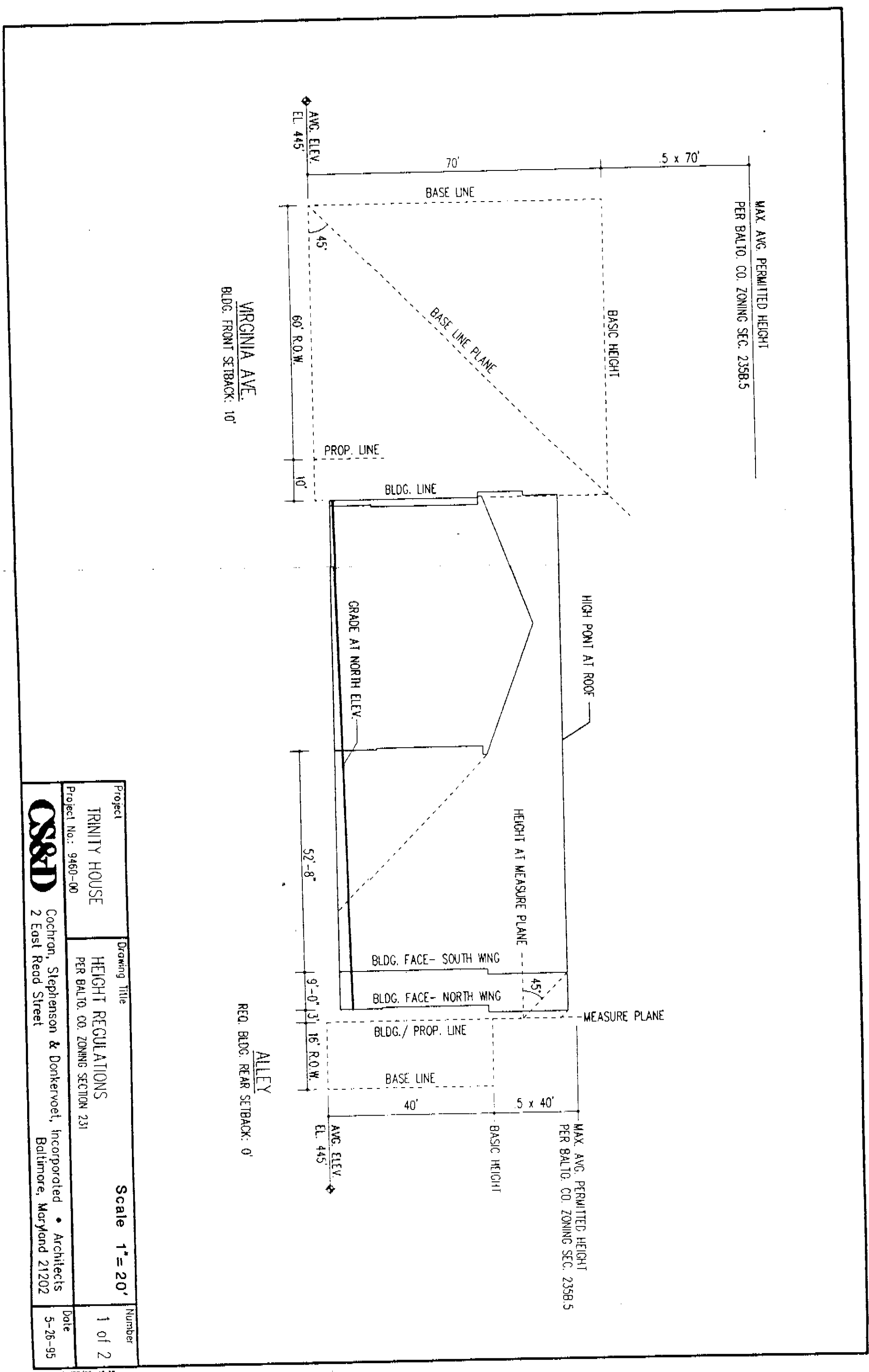



<p>1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992</p>	<p>SCALE 1" = 200' ±</p>	<p>LOCATION TOWSON</p>	<p>SHEET N.E. 10-A</p>
<p>100 Nos. 103-02, 104-02, 106-02, 108-02, 107-02, 109-02, 105-02</p> <p><i>William A. Howard IV</i> Chairman, County Council</p>	<p>DATE OF PHOTOGRAPHY JANUARY 1986</p>		

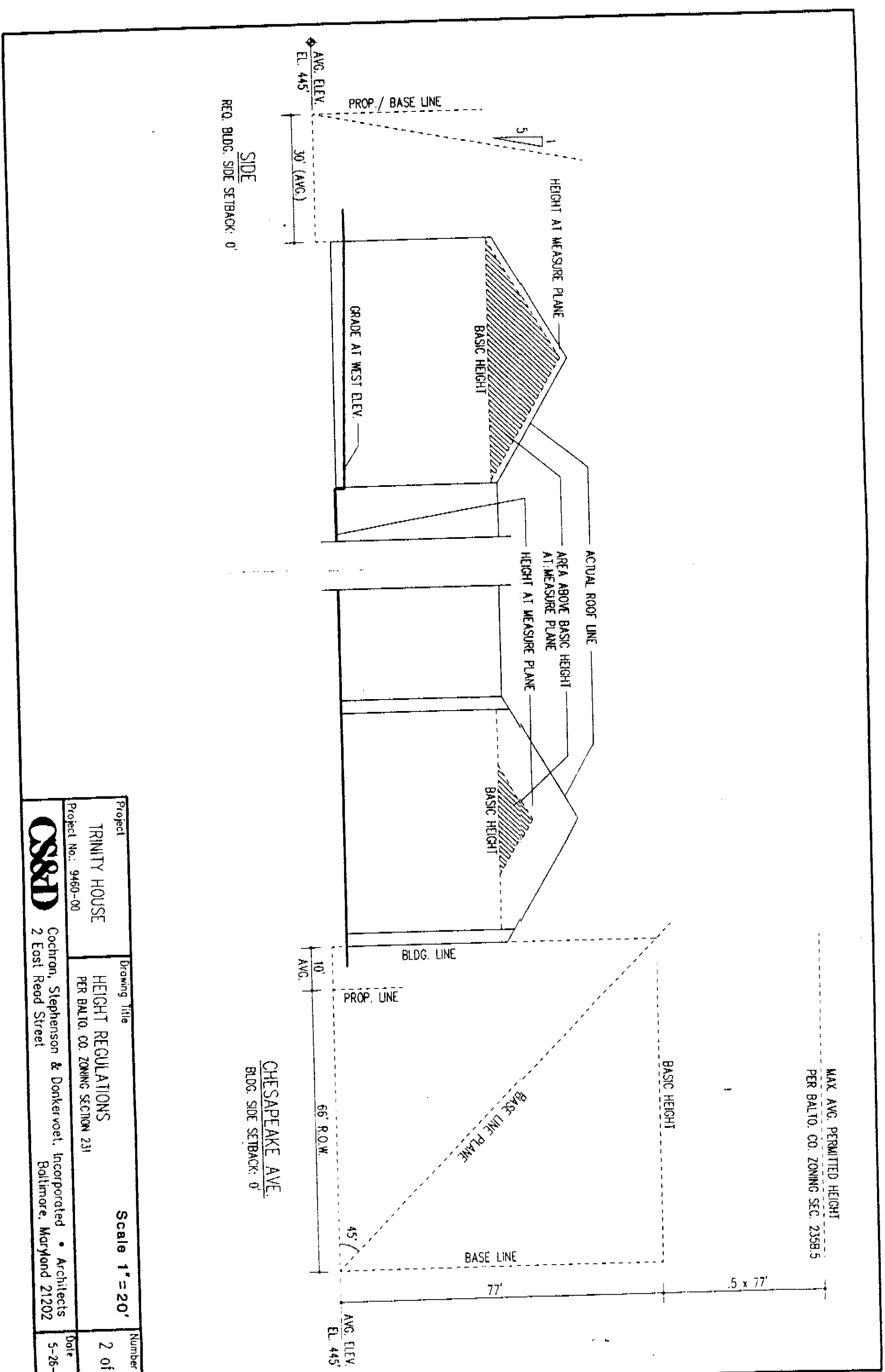
95-500-SPHA


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496



Project	Working Title	Scale	1" = 20'	Number
TRINITY HOUSE	HEIGHT REGULATIONS			1 of 2
Project No.: 9460-00	PER BUILD. CO. ZONING SECTION 231			
	Cochran, Stephenson & Donkervoet, Incorporated • Architects 2 East Reed Street Baltimore, Maryland 21202			Date 5-26-95



Project	Drawing Title	Scale 1" = 20'	Number
TRINITY HOUSE	HEIGHT REGULATIONS		2 of 1
Project No. 9460-20	PER PARLO CO. ZONING SECTION 231		
			Date
Cochron, Stephenson & Donkewol, Incorporated • Architects 2 East Reed Street Baltimore, Maryland 21202			5-26-78

ZONING HISTORY:

VARIANCES, CASE NO. 94-1174A, TO PRESENT A FRONT YARD SETBACK OF ZERO FEET INSTEAD OF THE REQUIRED 15 FEET FROM THE PROPERTY LINE BORDERING CHESAPEAKE AVENUE, A SIDE YARD SETBACK OF ZERO FEET FROM THE PROPERTY LINE BORDERING THE ALLEY TO THE WEST INSTEAD OF THE REQUIRED 10 FEET, A SIDE YARD SETBACK OF 2 FEET FROM THE PROPERTY LINE BORDERING VIRGINIA AVENUE INSTEAD OF THE REQUIRED 10 FEET, A ZERO FOOT SETBACK FROM THE STREET PROPERTY LINE FOR PARKING SPACES BEING 7.5' x 16' (210 SQUARE FEET) INSTEAD OF AN AMEINITY OPEN SPACE RATIO OF .025 INSTEAD OF THE REQUIRED 10 FEET, AND 98 PARKING SPACES INSTEAD OF THE REQUIRED 91 OR 96 SPACES OF 94 TOTAL SPACES BEING 7.5' x 16' (210 SQUARE FEET) INSTEAD OF THE REQUIRED 8.5' x 18' (300 SQUARE FEET). GRANTED JANUARY 16, 1994.

SPECIAL HEARING AND VARIANCES, CASE NO. 98-344-SPHA, TO APPROVE AN AMENDMENT TO THE ORIGINALLY APPROVED SITE PLAN SUBMITTED IN CASE NO. 17-44-P BY REPLACING IT WITH THE SUBSTITUTE SITE PLAN SUBMITTED WITH THE PETITION AND PERMISSION TO RE-EXAMINE THE VARIANCES GRANTED IN CASE NO. 17-44-P TO THE EXTENT APPLICABLE TO THE SUBSTITUTE SITE PLAN, AND VARIANCE TO PERMIT SIDE YARD SETBACKS OF 1' FOOT ON THE WEST SIDE AND 5' FEET ON THE EAST SIDE IN LIEU OF THE REQUIRED 10 FEET FOR EACH, AND AN AMENDED OPEN SPACE OF 1,755 SQ. FT. IN LIEU OF THE REQUIRED 2,984.5 SQ. FT., GRANTED MARCH 9, 1989

A REQUEST HAS BEEN FILED FOR COMBINED HEARING UNDER SECTION 26-206.1 FOR A SPECIAL HEARING TO APPROVE AN AMENDMENT TO THE SITE PLAN SUBMITTED IN CASE NO. 89-344-SPHA BY REPLACING IT WITH THE DEVELOPMENT PLAN AND PERMISSION TO RETAIN THE VARIANCES GRANTED IN CASE NO 89-344-SPHA TO THE EXTENT APPLICABLE TO THE SUBSTITUTE SITE PLAN.

THE SITE IS ADJACENT TO THE HISTORIC EAST TOWSON RESIDENTIAL COMMUNITY THERE ARE NO DESIGNATED ARCHEOLOGICAL SITES WITHIN OR CONTIGUOUS TO THE PROPOSED DEVELOPMENT.

THERE ARE NO STREAMS OR BODIES OF WATER, 100-YEAR FLOODPLAINS OR WETLANDS ON THIS SITE.

THERE ARE NO AREAS OF CRITICAL STATE CONCERN IDENTIFIED UNDER SECTION 5-611 OF THE STATE FINANCE AND PROCUREMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS OR HAZARDOUS MATERIALS STORAGE FACILITIES ON THE SITE.

THIS PROJECT IS EXEMPT FROM THE REQUIREMENTS OF THE BALTIMORE COUNTY FOREST CONSERVATION ACT BECAUSE THE LOT SIZE IS LESS THAN 40,000 S.F.

WANNER OF STORMWATER MANAGEMENT QUANTITY MANAGEMENT WAS GRANTED FOR THIS SITE ON OCTOBER 18, 1988. STORMWATER QUALITY MEASURES FOR THE FIRST 0.5 INCH OF RUNOFF FROM NEW IMPERVIOUS AREAS TO BE PROVIDED BY PREMANUFACTURED WATER QUALITY ENHANCEMENT STRUCTURES DESIGNED IN ACCORDANCE WITH APPLICABLE CRITERIA.

No.	Date	Revisions

Architect
Cochran, Stephenson & Donkervoet, Incorporated
2 East Reed Street Baltimore, Maryland 21202

Structural Engineer
Morabito Consultants, Inc.

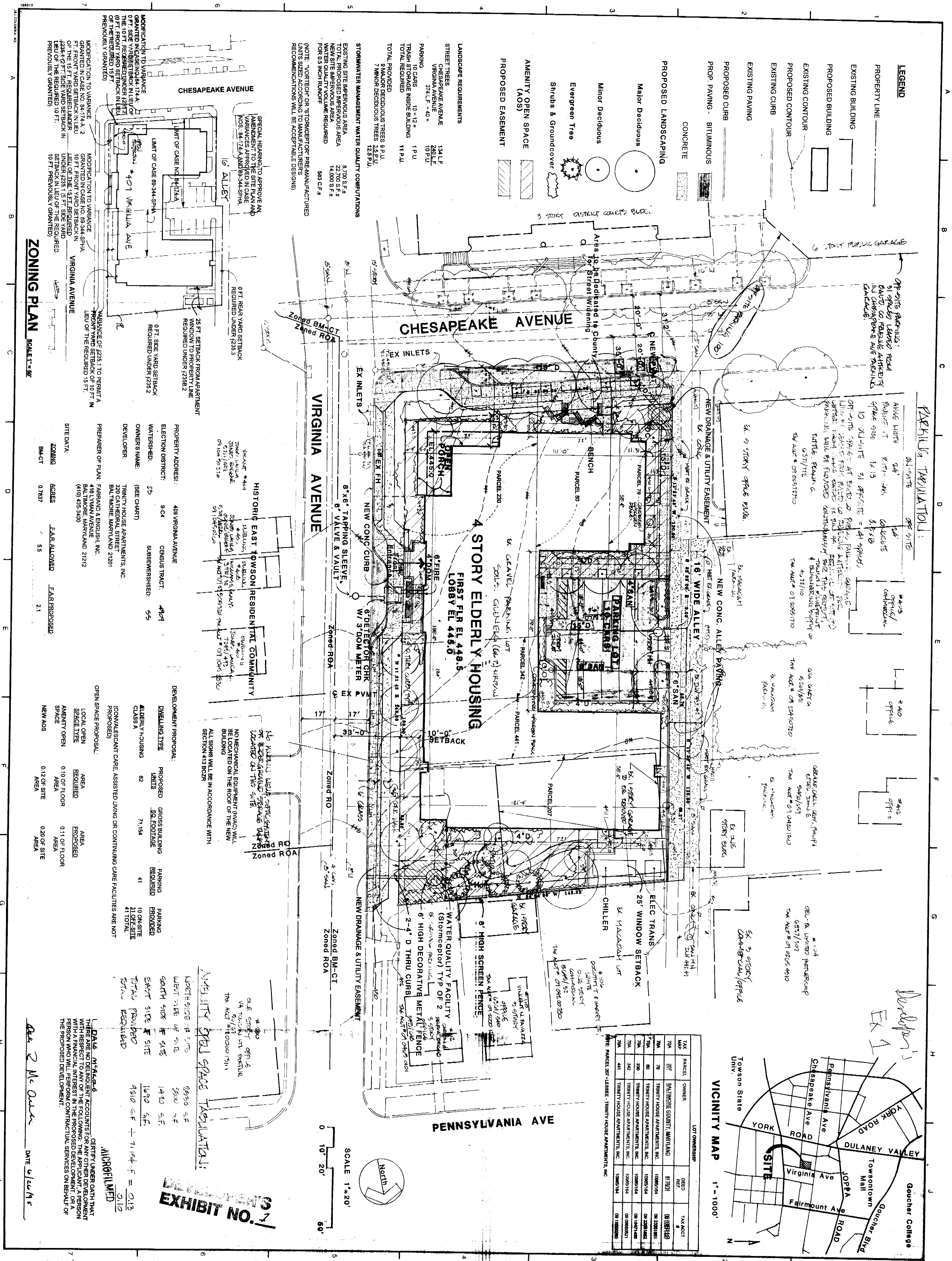
Mechanical / Electrical Engineer
Bharoon International, Inc.

Civil / Landscape Engineer
Ferrand and English



R I N I T Y

**TOWSON BALTIMORE COUNTY, MARYLAND
SECTION 202/8 HOUSING FOR THE ELDERLY
HUD PROJECT No. 052-EE003-WAH / MD06-5941-001**



Architect
Cochran, Stephenson & Donkersvoet, Incorporated
2 East Road Street, Baltimore, Maryland 21202

Structural Engineer
Morabito Consultants, Inc.

Mechanical/Electrical Engineer
Bhargava International, Inc.

Civil/Landscape Engineer
Farand and English

TRINITY
HOUSE

TOWSON BALTIMORE COUNTY, MARYLAND
SECTION 202/8 HOUSING FOR THE ELDERLY
HUD PROJECT No. 052-EE008-WAH / MD06-5941-001

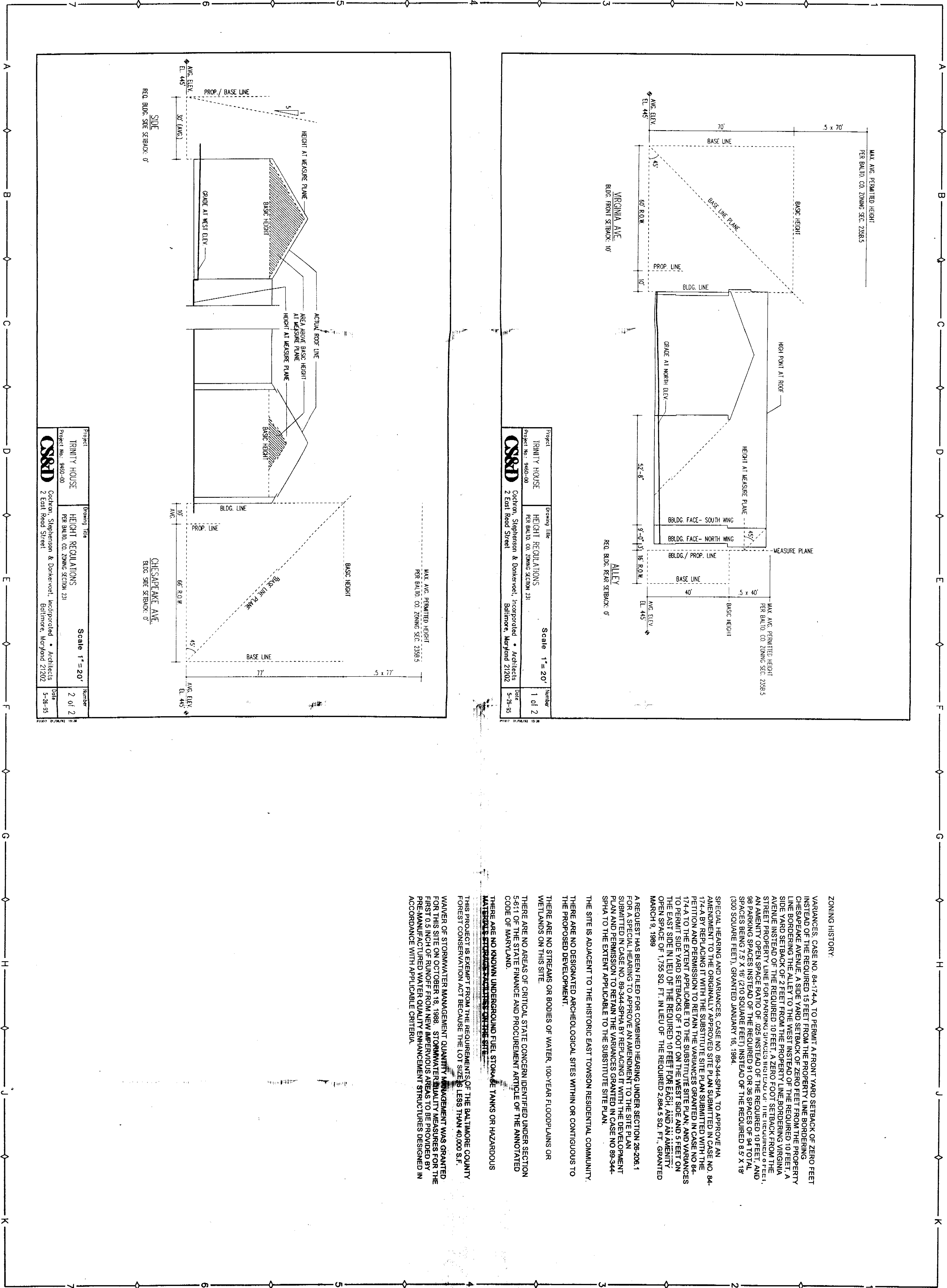
No.	Date	Revisions

Project No.: 9480-00
Date: 11/11/95
Scale: 1" = 20'

Sheet Title:
TRINITY HOUSE
409 VIRGINIA AVENUE
DEVELOPMENT PLAN
ZADW # EX-400

DATE: 11/11/95
BY: [Signature]
CHECKED: [Signature]
DATE: 11/11/95

1. THE DATE: 11/11/95
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8. THE DATE: 11/11/95
9. THE DATE: 11/11/95
10. THE DATE: 11/11/95



ZONING HISTORY:

VARIANCES, CASE NO. 84-174A, TO PERMIT A FRONT YARD SETBACK OF ZERO FEET INSTEAD OF THE REQUIRED 15 FEET FROM THE PROPERTY LINE BORDERING CHESAPEAKE AVENUE, A SIDE YARD SETBACK OF ZERO FEET FROM THE PROPERTY LINE BORDERING THE ALLEY TO THE WEST INSTEAD OF THE REQUIRED 10 FEET, A SIDE YARD SETBACK OF 2 FEET FROM THE PROPERTY LINE BORDERING VIRGINIA AVENUE INSTEAD OF THE REQUIRED 10 FEET, A ZERO FOOT SETBACK FROM THE STREET PROPERTY LINE FOR PARKING SPACES INSTALLED OR 11111 REQUIRED 6 FEET, AN AMENITY OPEN SPACE RATIO OF .025 INSTEAD OF THE REQUIRED 10 FEET, AND 96 PARKING SPACES (7.5 X 16 (210 SQUARE FEET) INSTEAD OF THE REQUIRED 8.5 X 18 (300 SQUARE FEET), GRANTED JANUARY 16, 1984.

SPECIAL HEARING AND VARIANCES, CASE NO. 89-344-SPIA, TO APPROVE AN AMENDMENT TO THE ORIGINALLY APPROVED SITE PLAN SUBMITTED IN CASE NO. 84-174A BY REPLACING IT WITH THE SUBSTITUTE SITE PLAN SUBMITTED WITH THE PETITION AND PERMISSION TO RETAIN THE VARIANCES GRANTED IN CASE NO. 84-174A TO THE EXTENT APPLICABLE TO THE SUBSTITUTE SITE PLAN, AND VARIANCES TO PERMIT SIDE YARD SETBACKS OF 1 FOOT ON THE WEST SIDE AND 3 FEET ON THE EAST SIDE IN LIEU OF THE REQUIRED 10 FEET FOR EACH, AND AN AMENITY OPEN SPACE OF 1,755 SQ. FT. IN LIEU OF THE REQUIRED 2,884.5 SQ. FT., GRANTED MARCH 9, 1989.

A REQUEST HAS BEEN FILED FOR COMBINED HEARING UNDER SECTION 26-206.1 FOR A SPECIAL HEARING TO APPROVE AN AMENDMENT TO THE SITE PLAN SUBMITTED IN CASE NO. 89-344-SPIA BY REPLACING IT WITH THE SUBSTITUTE SITE PLAN AND PERMISSION TO RETAIN THE VARIANCES GRANTED IN CASE NO. 89-344-SPIA TO THE EXTENT APPLICABLE TO THE SUBSTITUTE SITE PLAN.

THE SITE IS ADJACENT TO THE HISTORIC EAST TOWNSON RESIDENTIAL COMMUNITY. THERE ARE NO DESIGNATED ARCHEOLOGICAL SITES WITHIN OR CONTIGUOUS TO THE PROPOSED DEVELOPMENT.


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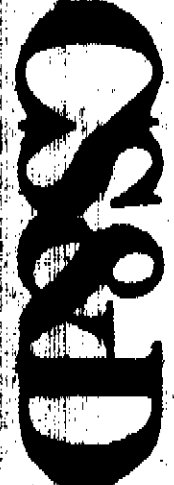


HOUSE

TOWSON BALTIMORE COUNTY, MARYLAND

SECTION 202/8 HOUSING FOR THE ELDERLY

HUD PROJECT No. 052-EE0C'S-WAH / MD06-5941-001



Architect

Codran, Stephenson & Donkervet, Incorporated

2 East Road Street Baltimore, Maryland 21202

Structural Engineer


Wardito Consultants, Inc.

Mechanical/ Electrical Engineer

Bhargava International, Inc.

Civil/ Landscape Engineer

Farnard and English



No.

Date

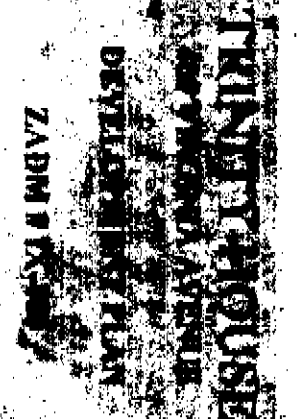
Revisions

Project No.: 9460-00

Date: 29 JAN 95

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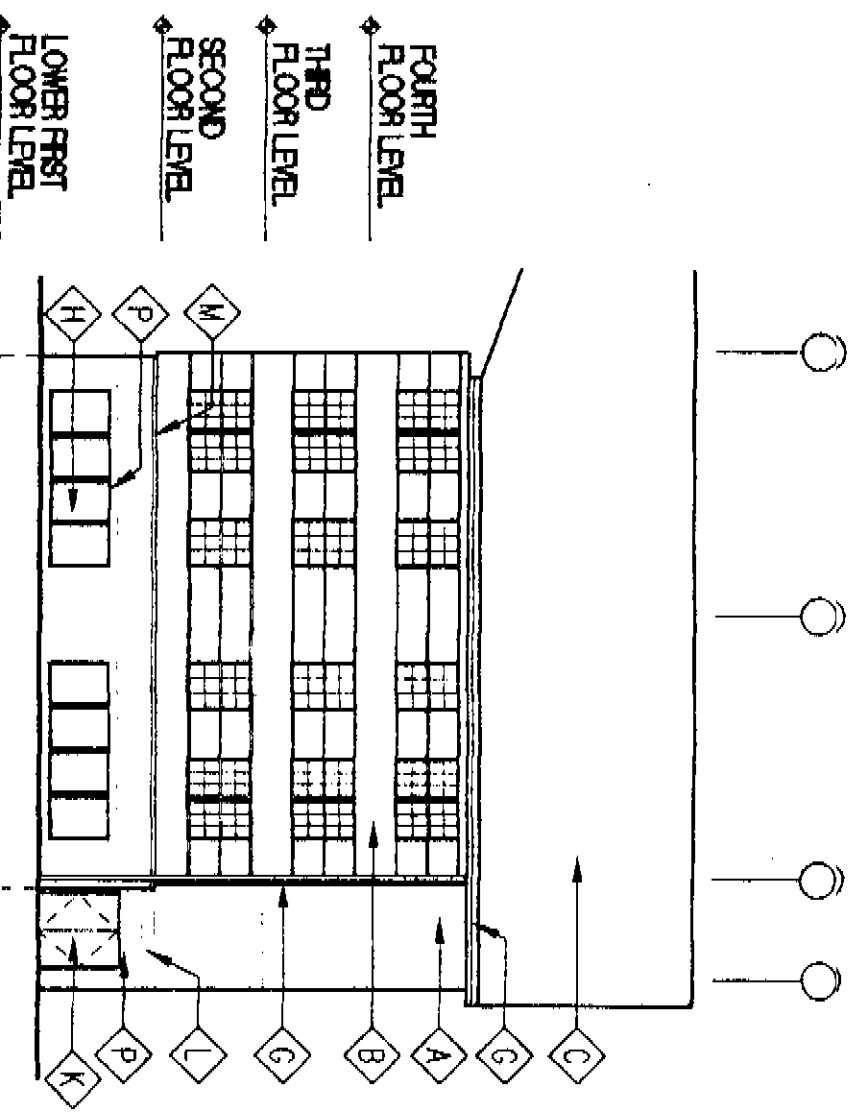
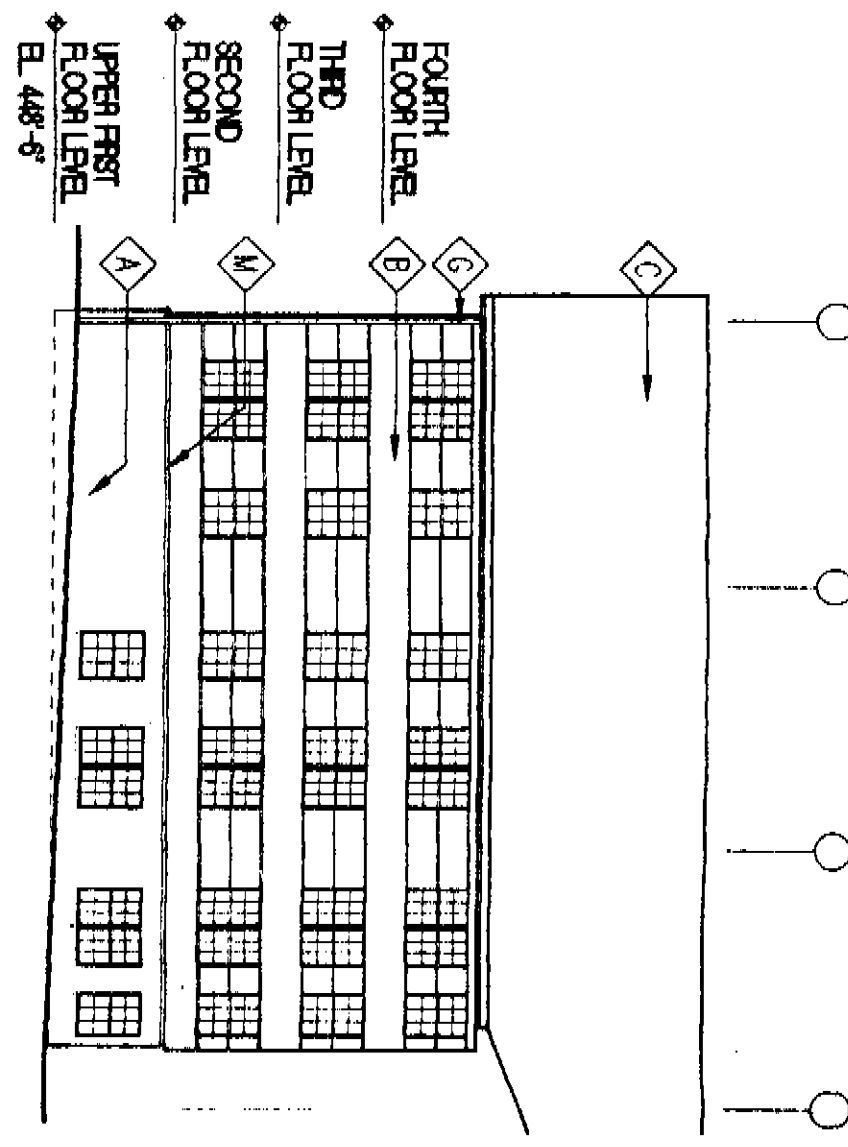
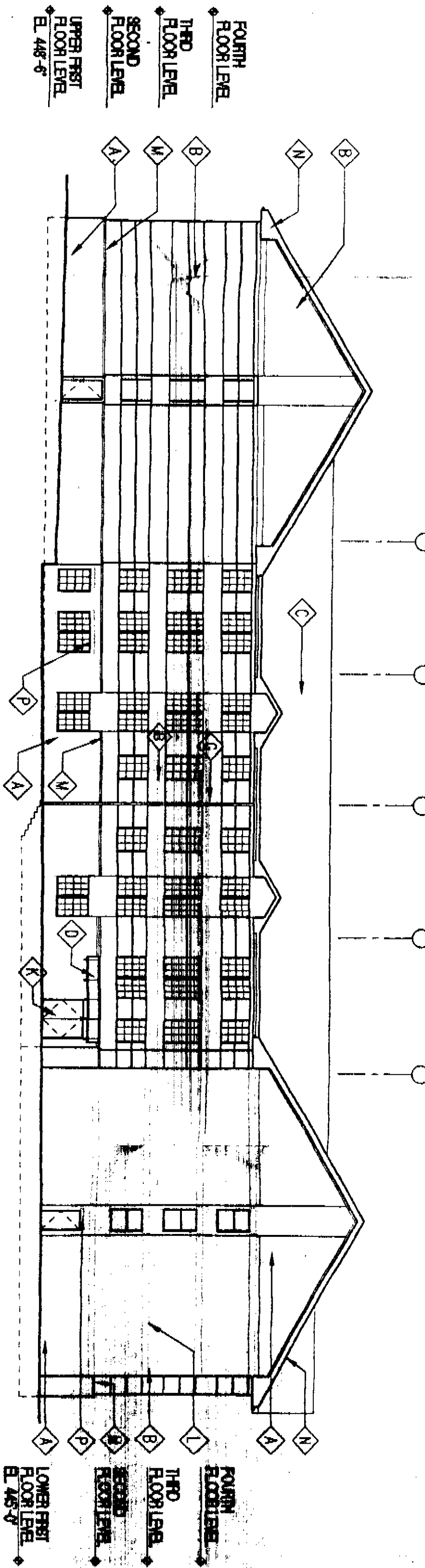
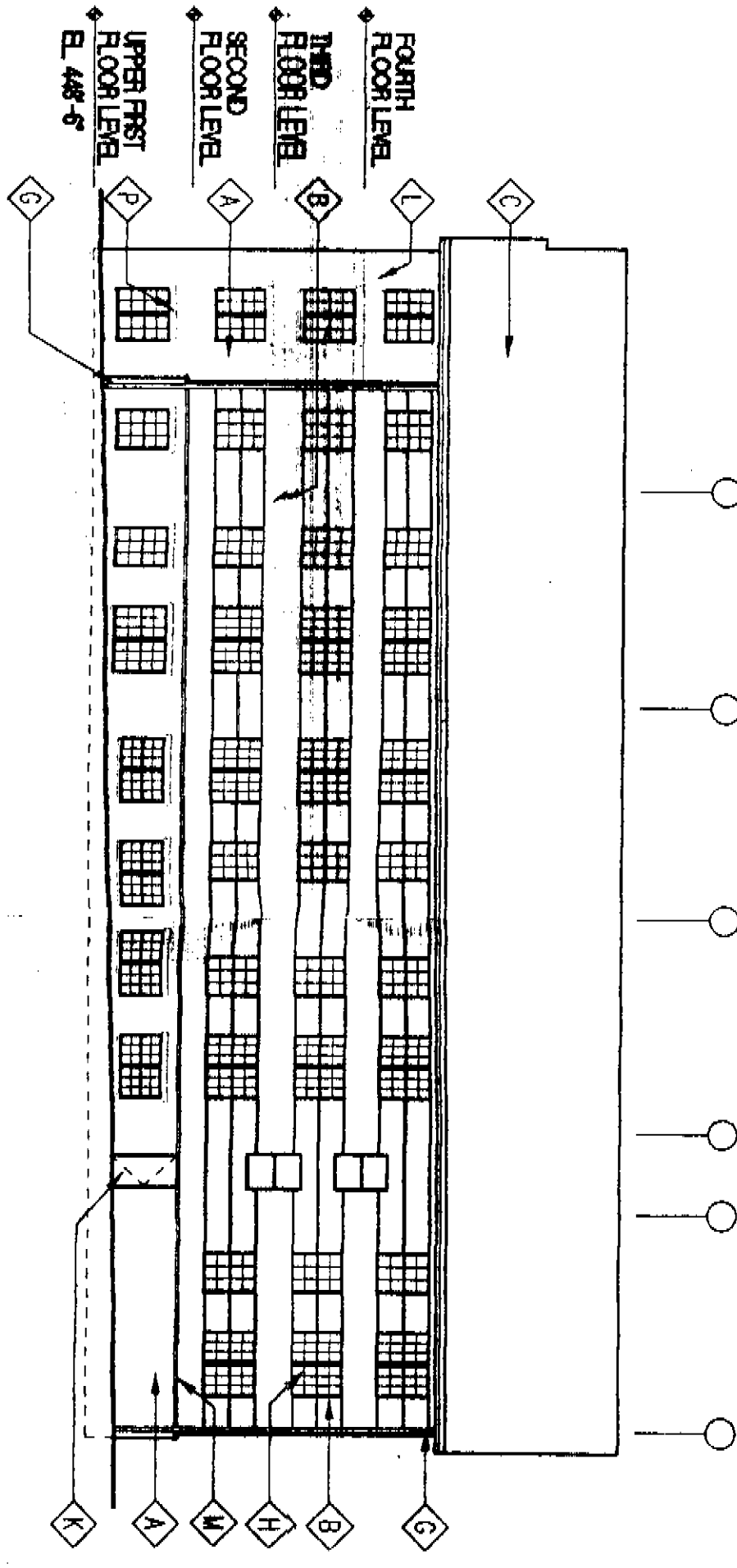
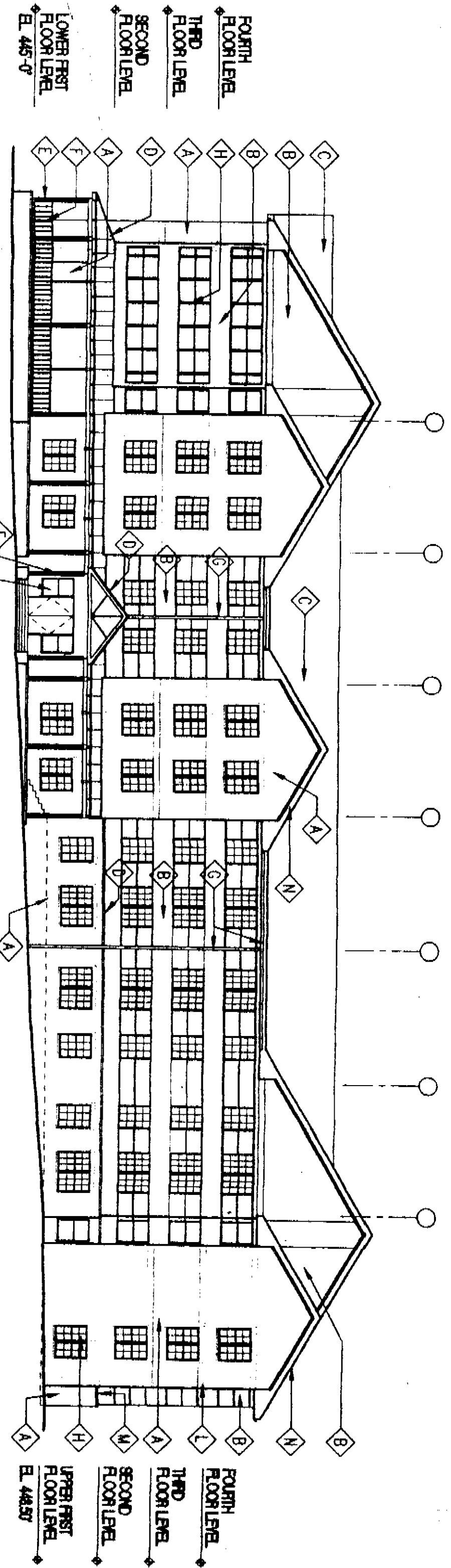
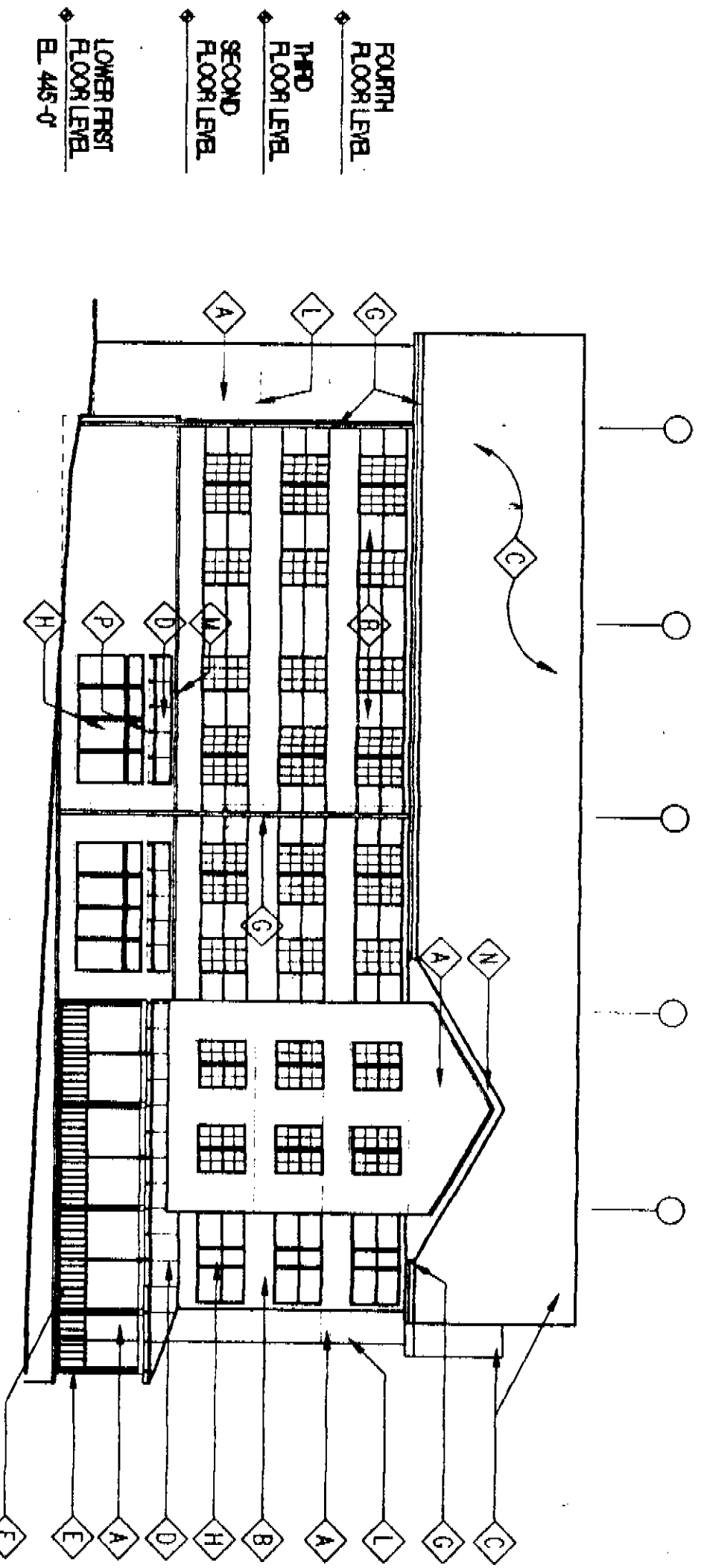


TRINITY HOUSE

DESIGNING THE FUTURE

ZABING & FARRARD

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- LEGEND:
- 1 4"x8" FACE BRICK
 - 2 EXTERIOR INSULATION FINISH SYSTEM (EIFS)
 - 3 FIBERGLASS ROOF SHINGLES
 - 4 METAL ROOF
 - 5 STEEL COLUMNS AND BEAMS, PAINTED
 - 6 WOOD RAILS AND PICKETS, STAINED
 - 7 ALUMINUM GUTTERS AND DOWNSPOUTS
 - 8 ALUMINUM WINDOWS
 - 9 ALUMINUM ENTRANCE DOOR
 - 10 METAL DOOR AND FRAME
 - 11 4"x12" BRICK SOLIDER COURSE
 - 12 BRICK WATERTABLE
 - 13 ALUM. CLAD FASCIA BOARD
 - 14 4"x8" BRICK SOLIDER COURSE
 - 15
 - 16

TRINITY HOUSE

TOWSON, BALTIMORE COUNTY, MARYLAND
SECTION 202/88 HOUSING FOR THE ELDERLY
HUD PROJECT NO. 052-EE008-WAH / MD06-5941-001

Architect
Cochran, Stephenson & Danker, Incorporated
222 North Charles Street, Baltimore, Maryland 21201
Structural Engineer
Miguelito Consultants, Inc.
Mechanical / Electrical Engineer
Biergova International, Inc.
Civil / Landscape Engineer
Foreman and English



No.	Date	Revisions

Project No.: 9460-00
Date: June 21, 1995
Scale: 1/16" = 1'-0"
Sheet Title:
Sheet 3 of 3

TOWSON BALTIMORE COUNTY, MARYLAND
SECTION 202/88 HOUSING FOR THE ELDERLY
HUD PROJECT NO. 052-EE008-WAH / MD06-5941-001

Architect
Cochran, Stephenson & Donkersvoet, Incorporated
625 North Charles Street Baltimore, Maryland 21201

Structural Engineer
Mirabito Consultants, Inc.

Mechanical/ Electrical Engineer
Bhargava International, Inc.

Civil/ Landscape Engineer
Farrand and English

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Sheet Title

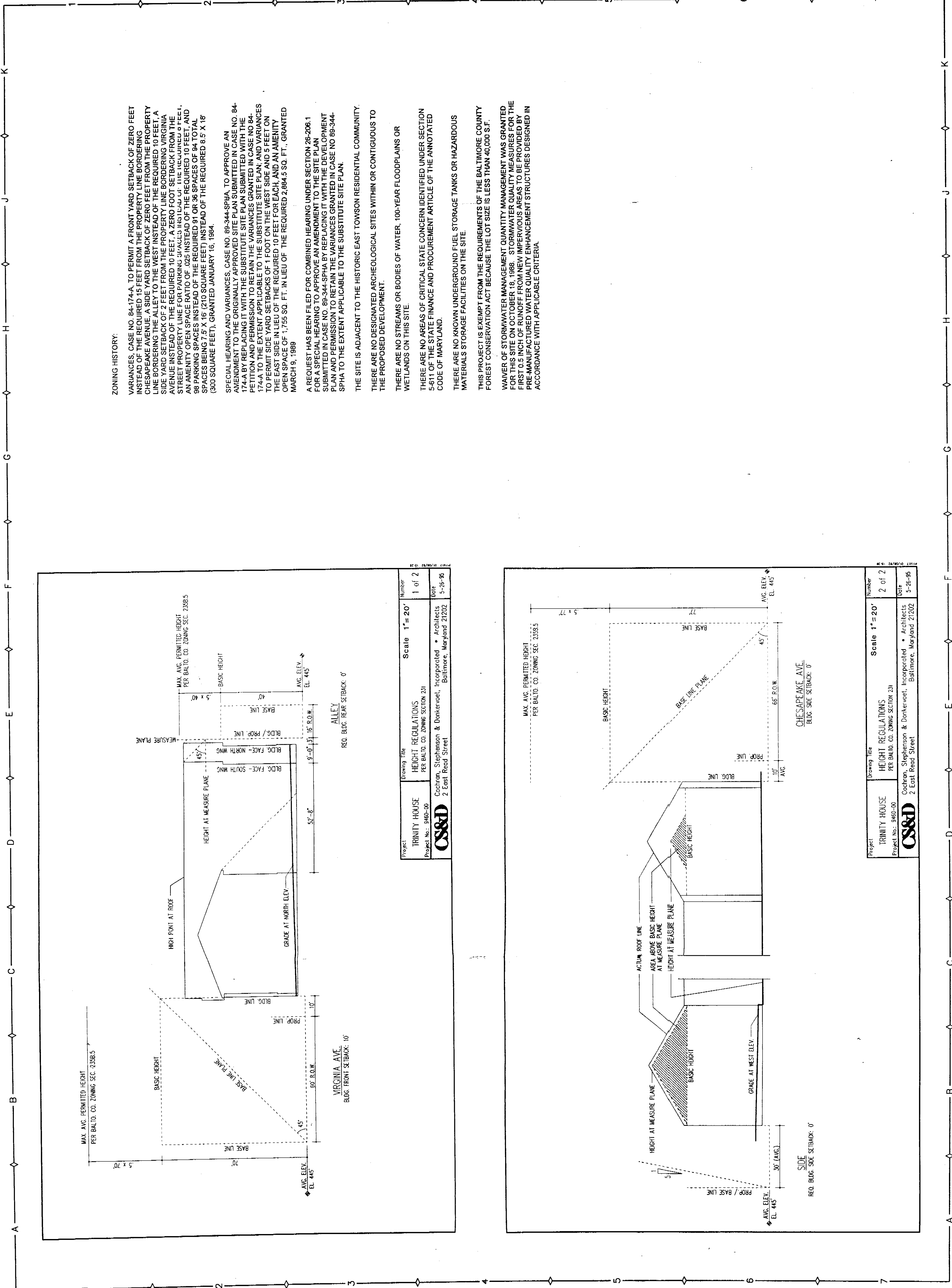
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Sheet 3 of 3



ZONING HISTORY:

VARIANCES, CASE NO. 84-174-A, TO PERMIT A FRONT YARD SETBACK OF ZERO FEET INSTEAD OF THE REQUIRED 15 FEET FROM THE PROPERTY LINE BORDERING CHESAPEAKE AVENUE, A SIDE YARD SETBACK OF ZERO FEET FROM THE PROPERTY LINE BORDERING THE ALLEY TO THE WEST INSTEAD OF THE REQUIRED 10 FEET, A SIDE YARD SETBACK OF 2 FEET FROM THE PROPERTY LINE BORDERING VIRGINIA AVENUE INSTEAD OF THE REQUIRED 10 FEET, A ZERO FOOT SETBACK FROM THE STREET PROPERTY LINE FOR PARKING SPACES INSTEAD OF THE REQUIRED 5 FEET, AN AMENITY OPEN SPACE RATIO OF .025 INSTEAD OF THE REQUIRED .02, AND 98 PARKING SPACES INSTEAD OF THE REQUIRED 91 OR 96 SPACES OF 84 TOTAL SPACES BEING 7.5' X 16' (210 SQUARE FEET) INSTEAD OF THE REQUIRED 8.5' X 18' (300 SQUARE FEET), GRANTED JANUARY 16, 1984.

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A REQUEST HAS BEEN FILED FOR COMBINED HEARING UNDER SECTION 28-206.1 FOR A SPECIAL HEARING TO APPROVE AN AMENDMENT TO THE SITE PLAN SUBMITTED IN CASE NO. 89-344-SPHA BY REPLACING IT WITH THE DEVELOPMENT PLAN AND PERMISSION TO RETAIN THE VARIANCES GRANTED IN CASE NO. 89-344-SPHA TO THE EXTENT APPLICABLE TO THE SUBSTITUTE SITE PLAN.

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R I N I T Y

HOUSE

TOWSON BALTIMORE COUNTY, MARYLAND
SECTION 202/8 HOUSING FOR THE ELDERLY
HUD PROJECT NO. 052-EE0C9-WAH / MD06-5841-001



CS&D

Architect
Cochran, Stephenson & Donkersloot, Incorporated
2 East Read Street, Baltimore, Maryland 21202

Structural Engineer
Wardle Consultants, Inc.

Mechanical/Electrical Engineer
Bharagava International, Inc.

Civil/Landscape Engineer
Forend and English

Project No.: 9460-00
Date: 29 JULY 95
Scale:
Sheet Title:
TRINITY HOUSE
300 VIRGINIA AVENUE
DEVELOPMENT PLAN
ZADM # K-147

No. Date Revisions

Project No.: 9460-00
Date: 29 JULY 95
Scale:
Sheet Title:
TRINITY HOUSE
300 VIRGINIA AVENUE
DEVELOPMENT PLAN
ZADM # K-147

IN RE: DEV. PLAN HEARING & PETITIONS * BEFORE THE HEARING OFFICER/
FOR SPECIAL HEARING & VARIANCE * ZONING COMMISSIONER
NW cor. Chesapeake and Virginia
Avenues
9th Election District * OF BALTIMORE COUNTY
4th Councilmanic District * Case No. IX-400 & 95-500-SPHA
Legal Owner: Baltimore County, Maryland
Contract Purchaser: Trinity House Apartments, Inc.

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN AND VARIANCE ORDER

This matter comes before the Zoning Commissioner/Hearing Officer as a combined hearing, pursuant to the authority in Section 26-206.1 of the Baltimore County Code. Approval is requested of a Red Line development plan (Developer's Exhibit No. 1) dated June 29, 1995, subsequently amended. Zoning relief is requested pursuant to Petitions for Special Hearing and Variance.

As to the Petition for Special Hearing, modification to variances granted in case No. 84-178-A is requested, so as to allow a 0 ft. side yard setback in lieu of the required 10 ft., pursuant to Section 235.2, and a 2 ft. front yard setback, in lieu of the required 15 ft., pursuant to Section 235.1 of the Baltimore County Zoning Regulations (BCZR). Also, special hearing relief is requested to modify the variance granted in case No. 89-344-SPHA so as to permit a 10 ft. front yard setback, in lieu of the required 15 ft., pursuant to Section 235.1 of the BCZR.

Variance relief is requested pursuant to Section 235.1 of the BCZR to permit a front yard setback of 10 ft., in lieu of the required 15 ft. At the hearing, the variance request was amended so as to also seek a variance to permit an open porch and/or entrance way, as shown on the site plan, pursuant to Sections 301.1.A and 301.2 of the BCZR.

As to the history of the project, a Concept Plan Conference was held on March 13, 1995 and the concept plan was submitted at that time. Thereafter a Community Input Meeting was held on April 12, 1995 in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson. The Development Plan was submitted and a conference was held thereon on July 26, 1995 in the County Office Building. The Hearing Officer's hearing was scheduled and held on August 15, 1995 at 9:00 A.M. in Room 118, Old Court House.

Appearing at the requisite public hearing was Dale McArdle, Diane Skellie, Curtis Wilson, Blair Farrand and Burt English, all on behalf of the Developer, Trinity House Apartments, Inc. The Developer/Petitioner was represented by Robert A. Hoffman, Esquire. Keith Franz, Esquire, a nearby property owner, appeared as an interested person. Also present were representatives of the various Baltimore County agencies who evaluated the project. These included Joseph Maranto, the Project Manager, and Mitch Keilman from the Office of Permits and Development Management (PADM), Dave Thomas from the Department of Public Works (DPW), and Carole McEvoy and Nicholas Linehan from the Office of Planning and Zoning (OPZ).

Testimony and evidence presented was that the subject lot is located on the northwest side of the intersection of Virginia and Chesapeake Avenues in East Towson. The property is immediately across the street from the new District Court building. The historic East Towson residential community is located across Virginia Avenue from this subject site. To the north and west, there are a number of office, institutional and governmental uses. Developing the site with a four story elderly housing facility is shown on the plan. The facility will contain approximately 82 apartment units and is being constructed for the purpose of filling a void for affordable elderly housing in the Towson area. The total structure will

- 2 -

be approximately 71,000 sq. ft. in area and the property is approximately 78 acres in area zoned B.M.-C-1. Apparently, the project has the support of much of the surrounding community and the Baltimore County agencies which have reviewed the proposal.

It is of note that the instant matter was the subject of two prior zoning cases, Nos. 84-178-A and 89-344-SPHA. Previously, the site was proposed for an office building and ancillary parking. Although zoning relief was obtained to permit such development, the proposed office building was never constructed.

As to the development plan, same is to be considered by this Hearing Officer in accordance with the requirements of Section 26-206 of the Baltimore County Code. That section requires the Hearing Officer to determine if there are any outstanding issues or open concerns. In this respect, representatives from the agencies of Baltimore County indicated that the red line plan submitted (Developer's Exhibit No. 1) had not been fully reviewed. The hearing was adjourned briefly which provided the County agencies an opportunity to further review the plan. Upon reconvening of the hearing, the County representatives present indicated that there were no outstanding issues. That is, the plan, as amended, complies with all development regulations and applicable policies, rules and regulations. Based on this uncontradicted testimony, the plan will, therefore, be approved.

Mr. Franz, on behalf of the neighboring property owners, did raise an issue, pursuant to Section 26-206(o) of the regulations. He indicated that his interest relates to an existing five story office building which is immediately across an alley to the west of the site. Mr. Franz is concerned about the roof of the subject property and whether same would feature antennas, mechanical equipment or other structures which would

- 3 -

negatively impact the view from his building. With the consent of the Developer, I shall impose a restriction in this regard, prohibiting the installation of any mechanical systems, antenna or other structures on the roof of the building, except as may be required by the building code or other applicable regulations. Moreover, the Developer indicated that any such required improvements would be painted the same color as the roof, so as to blend into the background, and will be of minimum size and area. With this proviso, the development plan shall be approved.

As to the zoning relief, same should also be granted. It is to be noted that this relief is consistent with the relief previously approved in the prior case. As noted above, variances were previously granted so as to allow the construction of the proposed office building. In the instant case, the elderly housing building which is proposed has been re-oriented to front Virginia Avenue. The same setbacks will be maintained as previously approved. However, the re-orientation of the building has resulted in a reconfiguration of the front, sides and rear yards. Consistent with the prior relief granted, I find that the Developer has satisfied the variance and special hearing standards set forth in Sections 307.1 and 502.1 of the BCZR, respectively. It is clear that strict adherence to the applicable provisions of the BCZR would result in a practical difficulty upon the Developer. Moreover, the relief requested will be consistent with the spirit and intent of the zoning regulations and without any detriment to the surrounding locale. I am satisfied that the record of this case has met the regulatory criteria and the requirements of the case law.

Pursuant to the development regulations of Baltimore County, as contained within Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing thereon, I will approve the develop-

- 4 -

ment plan consistent with the comments set forth above and shall so order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 29th day of August 1995, that the development plan submitted in the within case as Developer/Petitioner's Exhibit No. 1, be and is hereby APPROVED in accordance with the terms and conditions as set forth herein; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval for modification to variances granted in case No. 84-178-A to allow a 0 ft. side yard setback in lieu of the required 10 ft., pursuant to Section 235.2, and a 2 ft. front yard setback in lieu of the required 15 ft., pursuant to Section 235.1 of the BCZR, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing, approval to modify the variance granted in case No. 89-344-SPHA so as to permit a 10 ft. front yard setback in lieu of the required 15 ft., pursuant to Section 235.1 of the BCZR, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that an amended variance from Sections 301.1.A and 301.2 of the BCZR to permit an open porch and/or entrance way, as shown on the site plan, be and is hereby GRANTED, subject, however, to the following restriction:

1. No mechanical systems, antenna or other structures shall be installed or placed on the roof of the proposed building, except as required by the building code or other applicable regulations. In the event such structures are required, same shall be of minimum size and shall be designed and placed so as to blend into the roof and cause as minimal visual impact to surrounding properties as practical and possible.

IT IS FURTHER ORDERED that the Developer shall prepare and submit to Permits and Development Management (PADM), within 10 days from the date of

- 5 -

this Order, a development plan which reflects and incorporates the terms, conditions, and restrictions, if any, of this opinion and Order and/or the development plan comments.

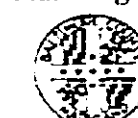
Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.

LES:mmn

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date: 8/29/95
By: M. Hord

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 29, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 W. Allegheny Avenue
Towson, Maryland 21204

RE: Case No. IX-400 and 95-500-SPHA
Development Plan Order/Petitions for Special Hearing & Variance
Project: Trinity House
Applicant/Developer: Trinity House Apartments, Inc.

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Hearing Officer's Opinion and Development Plan Order, together with Petitions for Special Hearing and Variance, have been approved.

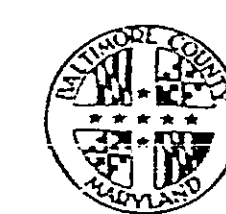
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
att.

cc: Mr. Dale McArdle, Vice President,
Trinity House, 320 Cathedral Street, 21201
Mr. Curtis Wilson, 2 E. Read St., 21202
Messrs. Blair Farrand and Burt English, 416 Lyman Avenue, 21212
Keith Franz, Esquire, 101 E. Chesapeake Avenue, 21286
Mr. Roy Gross, 32 Dunvale Road, 21204
cc: Mr. Joe Maranto, Project Manager
Various County Agencies



Petition for Special Hearing
to the Zoning Commissioner of Baltimore County
for the property located at 409 Virginia Avenue, Towson, Maryland 21204

which is presently zoned EM-CF

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner

Type or Price Hearing

Signature

Address

City

State

Zipcode

Attorney for Petitioner

Robert A. Hoffman, Esquire

Type or Price Hearing

Venable, Baetjer & Howard, LLP

210 Allegheny Avenue

Towson, Maryland 21204

Phone No. 494-6262

City

State

Zipcode

ESTIMATED LENGTH OF HEARING

minutes for Hearing

See following date

ALL OTHERS

RECEIVED BY: DATE: 8-30-95

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
SUBJECT: Zoning Advisory Committee
Agenda: 7/10/95

DATE: 7/13/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 478
479
480
481
482
483
484
485
486
487
489
490
491
494
496
revised 467

LS:sp

LETTY2/DEPRM/TXTSP

Maryland Department of Transportation
State Highway Administration

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No: 496 (JJS)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 17, 1995

Melissa Peters
MF Housing Representative
Multi-family Housing Division
US Department of Housing & Urban Development
City Crescent Building
10 South Howard Street
5th Floor
Baltimore, MD 21201-2528

RE: Zoning Verification
Trinity House
409 Virginia Avenue
Towson, MD 21204
Project #052-EE008-WAH
9th Election District

Dear Ms. Peters:

This is to advise you that if the above project is constructed according to the plans and specifications in zoning case #IX-400 and #95-500-SPHA, approved on August 29, 1995, it will comply with all zoning requirements for Baltimore County.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at (410) 887-3391.

Very truly yours,

Mitchell J. Kellman
Planner II
Zoning Review

MJK:scj

Enclosure

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
409 Virginia Avenue, NWC Chesapeake and
Virginia Avenues, 9th Election District,
4th Councilmanic
Trinity House Apartments, Inc. and
Baltimore County, Maryland
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-500-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Charles S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
300 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PETITION PROBLEMS
AGENDA OF JULY 10, 1995

#479 -- CAM

1. No review information on bottom of petition form.

#485 -- JJS

1. Only one legal owner signature -- need signature of Kang.
2. Need original signature for lessee.

#486 -- MJK

1. Petitioner was not given copy of receipt (still in folder).
2. Need telephone number for legal owner.
3. Need title of person signing for contract purchaser.

#488 -- RT

1. Need typed or printed name and title of person signing for contract purchaser.

#489 -- JRA

1. Need title of person signing for legal owner.

#493 -- JRA

1. Need telephone number for legal owner.
2. Need address for legal owner.
3. Need telephone number for attorney.

#494 -- JRA

1. Who is legal owner? (Petition says Michael J. Specht & plat says Exxon Company, USA)

#495 -- JJS

1. Notary public section is incomplete.

#496 -- JJS

1. No original signatures on petitions.

6/29/95

John:

Attached is the filing package for Trinity House. As we discussed, I have attached copies of the petitions and will followup with the originals if they are located by the Office of Law and/or provide new originals. Also, I wanted to remind you that this matter is scheduled to have a development plan submitted tomorrow, therefore, we would request that the Hearing Officer's Hearing be combined with the Zoning Hearing.

The following is attached:

- 12 site plans
- 3 petitions for variance
- 3 petitions for specialhearing
- 1 - 200' scale map
- 1 - 1000' scale map
- 3 descriptions
- 3 letters from Revenue Authority regarding leased parking spaces
- check in the amount of \$570.00

Please call me if you have any questions and please excuse all the typos.

Thanks, Barbara White Ormord 494-6201

JUN-22-1995 11:41 REVENUE AUTHORITY 410 236 7459 P.02

Baltimore County Revenue Authority

115 TOWSONTOWN BOULEVARD

TOWSON, MARYLAND 21206-9353

TELEPHONE (410) 887-3187

FAX (410) 886-7486

June 22, 1995

Mr. Dale R. Mc Ardle
Catholic Charities
520 Cathedral Street
Baltimore, MD 21201-4493

Dear Mr. Mc Ardle:

The purpose of this letter is to confirm our recent discussions relating to the zoning requirements for parking for the Trinity House project at Chesapeake and Virginia Avenues in Towson.

The Baltimore County Revenue Authority will reserve 31 parking spaces for the Trinity House project at our Library Parking Facility subject to our standard arrangements for monthly parking agreements.

Very truly yours,

George R. Hale
Executive Director

GEH/mis:ID-038

cc: Robert A. Hoffman

TOTAL P.02

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Bob Hoffman	210 Allegheny Ave 21204
Dale McArdle	320 Cathedral St.
Diane Skellie	320 Cathedral St.
Curtis Wilson	2 E. Peak St. 21202
Bruce Fairbank	416 Lyman Ave. 21212
Paul English	"
Pauls Franz	101 E. Chesapeake Ave

LEGEND

- PROPERTY LINE
- EXISTING BUILDING
- PROPOSED BUILDING
- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING CURB
- EXISTING PAVING
- PROPOSED CURB
- PROP. PAVING - BITUMINOUS
- CONCRETE
- PROPOSED LANDSCAPING
- Major Deciduous
- Minor Deciduous
- Evergreen Tree
- Shrubs & Groundcover
- AMENITY OPEN SPACE (AOS)
- PROPOSED EASEMENT

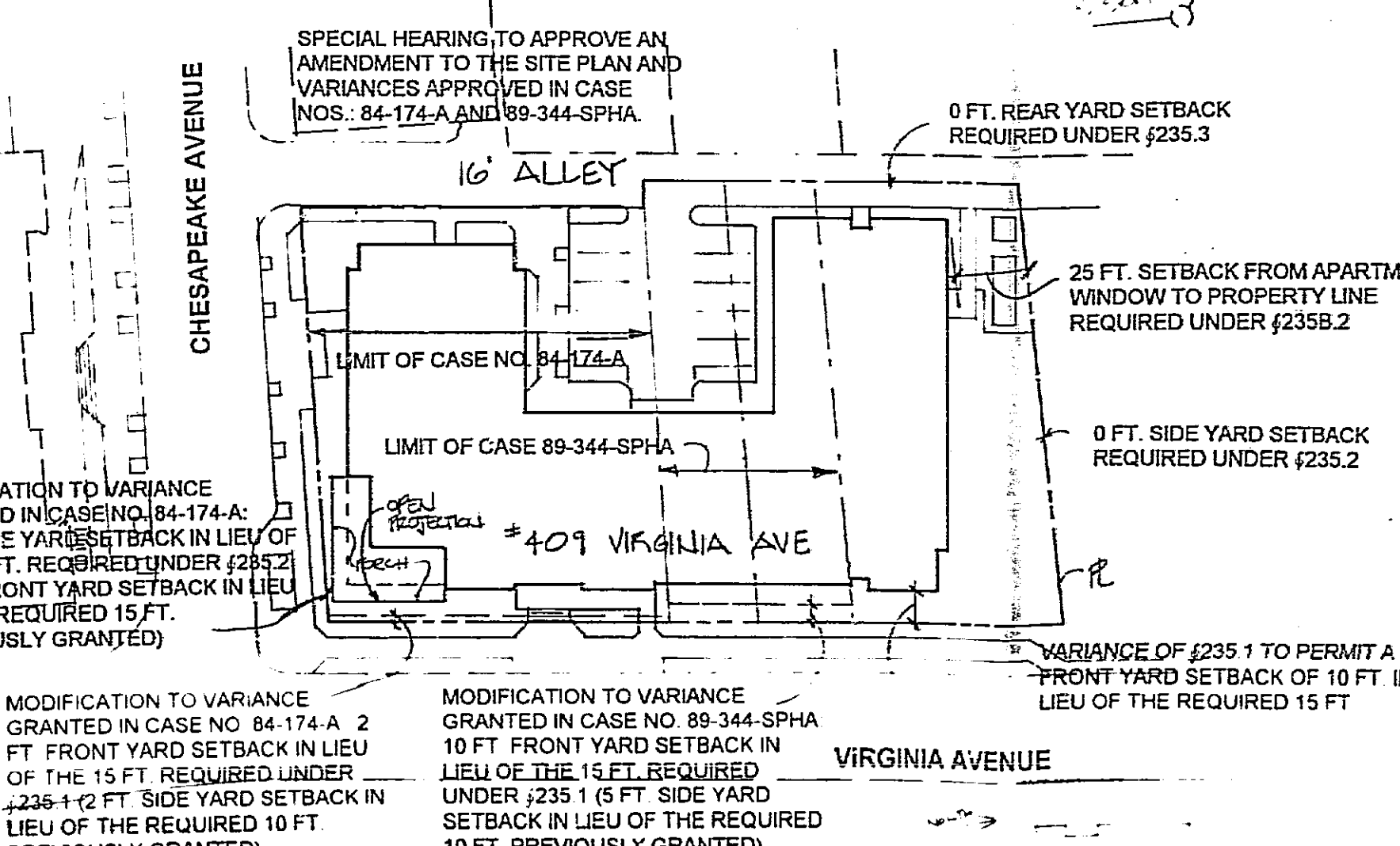
LANDSCAPE REQUIREMENTS

STREET TREES	CHESAPEAKE AVENUE	134 L.F.
	VIRGINIA AVENUE	240 L.F.
	374 L.F. = 40 =	10 P.U.
PARKING	10 CARS	10 - 12 = 1 P.U.
	TRASH STORAGE INSIDE BUILDING	11 P.U.
TOTAL PROVIDED	9 MAJOR DECIDUOUS TREES	9 P.U.
	7 MINOR DECIDUOUS TREES	3.5 P.U.
		12.5 P.U.

STORMWATER MANAGEMENT WATER QUALITY COMPUTATIONS

EXISTING SITE IMPERVIOUS AREA	8,700 S.F. ±
TOTAL PROPOSED IMPERVIOUS AREA	22,700 S.F. ±
NEW SITE IMPERVIOUS AREA	14,000 S.F. ±
WATER QUALITY VOLUME REQUIRED	583 C.F. ±
*FOR 0.5 INCH RUNOFF	

(NOTE: "VORTECH" OR "STORMCEPTOR" PRE-MANUFACTURED UNITS SIZED ACCORDING TO MANUFACTURER'S RECOMMENDATIONS WILL BE ACCEPTABLE DESIGNS)



ZONING PLAN SCALE 1" = 50'

PARKING TABULATION

TYPE	NO.	AREA
ON-SITE	10	1000 S.F.
OFF-SITE	10	1000 S.F.
TOTAL	20	2000 S.F.

OFF-SITE PARKING: 10 SPACES LEADING FROM CHESAPEAKE AVENUE PARKING LOT TO CHESAPEAKE AVENUE PARKING LOT.

OFF-SITE SPACES AT BAYVIEW CO. PUBLIC PARKING GARAGE WILL BE LEASED FROM BAYVIEW CO. REVENUE AUTHORITY PER LETTER FROM SPAS DATED 12 JUL 95. REQUIRED OFF-SITE (SD) PARKING WILL BE PROVIDED CONTINUOUSLY FOR THIS PROJECT.

TITLE PLAN C. 6/31/112

TAX MAP = 01 00512710

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AMENITY, POL SPACE TABULATION

TYPE	NO.	AREA
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TOTAL	20	2000 S.F.

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